UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PRIDDIS MUSIC, INC.,

Plaintiff,

-against-

TRANS WORLD ENTERTAINMENT CORPORATION,

Defendant.

Civil Action No. 05-CV-0491 (DNH/DRH)

NOTICE OF MOTION TO PARTIALLY DISMISS THE COMPLAINT

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law, Defendant Trans World Entertainment Corporation will move this Court to partially dismiss the Complaint as to said Defendant pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, at the United States District Court, Northern District of New York, before the Hon. David N. Hurd, United States District Judge, on July 22, 2005 on the grounds that the Complaint fails to state a claim upon which relief may be granted.

Dated: June 3, 2005

BOIES, SCHILLER & FLEXNER LLP

By: ______________________

Philip J. Iovieno (Bar Roll # 506390)
J. Matthew Donohue (Bar Roll # 511490)
10 North Pearl Street, 4th Floor
Albany, New York 12207
(518) 434-0600

Attorneys for Defendant,
Trans World Entertainment Corporation

Dockets.Justia.com

TO: Kenneth L. Gellhaus
Morgan A. Costello
McNamee, Lochner Law Firm
677 Broadway
Albany, NY 12207-2503
518-447-3200

Attorneys for Plaintiff,
Priddis Music, Inc.